

Consumer Product Safety Commission

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§ 1105.9 Itemized vouchers.

The participant shall be paid upon submission of an itemized voucher listing each item of expense. Each item of expense exceeding \$15 must be substantiated by a copy of a receipt, invoice, or appropriate document evidencing the fact that the cost was incurred.

§ 1105.10 Reasonable costs.

The Commission shall compensate participants only for costs that it determines are reasonable. As guidelines in these determinations, the Commission shall consider market rates and rates normally paid by the Commission for comparable goods and services, as appropriate.

§ 1105.11 Compensable costs.

The Commission may compensate participants for any or all of the following costs:

- (a) Salaries for participants or employees of participants;
- (b) Fees for consultants, experts, contractual services, and attorneys that are incurred by participants;
- (c) Transportation costs;
- (d) Travel-related costs such as lodging, meals, tipping, telephone calls; and
- (e) All other reasonable costs incurred, such as document reproduction, postage, baby-sitting, and the like.

§ 1105.12 Advance contributions.

The Commission may make its contribution in advance upon specific request, and the contribution may be made without regard to section 3648 of the Revised States of the United States (31 U.S.C. 529).

§ 1105.13 Noncompensable costs.

The items of cost toward which the Commission will not contribute include:

- (a) Costs for the acquisition of any interest in land or buildings;
- (b) Costs for the payment of items in excess of the participant's actual cost; and
- (c) Costs determined not to be allowable under generally accepted accounting principles and practices or part 1-15, Federal Procurement Regulations (41 CFR part 1-15).

§ 1105.14 Audit and examination.

The Commission and the Comptroller General of the United States, or their duly authorized representatives, shall have access for the purpose of audit and examination to any pertinent books, documents, papers and records of a participant receiving compensation under this section. The Commission may establish additional guidelines for accounting, recordkeeping, and other administrative procedures with which participants must comply as a condition of receiving a contribution.

PART 1110—CERTIFICATES OF COMPLIANCE

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AUTHORITY: Pub. L. No. 110-314, §3, 122 Stat. 3016, 3017 (2008); 15 U.S.C. 14.

SOURCE: 73 FR 68331, Nov. 18, 2008, unless otherwise noted.

§ 1110.1 Purpose and scope.

(a) This part 1110:

(1) Limits the entities required to provide certificates in accordance with section 14(a) of the Consumer Product Safety Act, as amended (CPSA), 15 U.S.C. 2063(a), to importers and U.S. domestic manufacturers;

(2) Specifies the content, form, and availability requirements of the CPSA that must be met for a certificate to satisfy the certificate requirements of section 14(a); and

(3) Specifies means by which an electronic certificate shall meet those requirements.

(b) This part 1110 does not address issues related to type or frequency of testing necessary to satisfy the certification requirements of CPSA section 14(a). It does not address issues related to CPSA section 14(g)(4) concerning advance filing of electronic certificates of

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compliance with the Commission and/or the Commissioner of Customs.

§ 1110.3 Definitions.

The following definitions apply for purposes of this part 1110.

(a) *Electronic certificate* means, for purposes of this part 1110, a set of information available in, and accessible by, electronic means that sets forth the information required by CPSA section 14(a) and section 14(g) and that meets the availability requirements of CPSA section 14(g)(3).

(b) Unless otherwise stated, the definitions of section 3 of the CPSA and additional definitions in the Consumer Product Safety Improvement Act of 2008 (CPSIA), Pub. L. 110-314, apply for purposes of this part 1110.

§ 1110.5 Acceptable certificates.

A certificate that is in hard copy or electronic form and complies with all applicable requirements of this part 1110 meets the certificate requirements of section 14 of the CPSA. This does not relieve the importer or domestic manufacturer from the underlying statutory requirements concerning the supporting testing and/or other bases to support certification and issuance of certificates.

§ 1110.7 Who must certify and provide a certificate.

(a) *Imports*. Except as otherwise provided in a specific standard, in the case of a product manufactured outside the United States, only the importer must certify in accordance with, and provide the certificate required by, CPSA section 14(a) as applicable, that the product or shipment in question complies with all applicable CPSA rules and all similar rules, bans, standards, and regulations applicable to the product or shipment under any other Act enforced by the Commission.

(b) *Domestic products*. Except as otherwise provided in a specific standard, in the case of a product manufactured in the United States, only the manufacturer must certify in accordance with, and provide the certificate required by, CPSA section 14(a) as applicable, that the product or shipment in question complies with all applicable CPSA rules and all similar rules, bans,

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standards, and regulations applicable to the product or shipment under any other Act enforced by the Commission.

(c) *Availability of certificates*—(1) *Imports*. In the case of imports, the certificate required by CPSA section 14(a) must be available to the Commission from the importer as soon as the product or shipment itself is available for inspection in the United States.

(2) *Domestic products*. In the case of domestic products, the certificate required by CPSA section 14(a) must be available to the Commission from the manufacturer prior to introduction of the product or shipment in question into domestic commerce.

§ 1110.9 Form of certificate.

As required by CPSA section 14(g)(2), the information on a hard copy or electronic certificate must be provided in English and may be provided in any other language.

§ 1110.11 Content of certificate.

As required by CPSA sections 14(a) and 14(g), a certificate must contain the following information:

(a) Identification of the product covered by the certificate.

(b) Citation to each CPSC product safety regulation or statutory requirement to which the product is being certified. Specifically, the certificate shall identify separately each applicable consumer product safety rule under the Consumer Product Safety Act and any similar rule, ban, standard or regulation under any other Act enforced by the Commission that is applicable to the product.

(c) Identification of the importer or domestic manufacturer certifying compliance of the product, including the importer or domestic manufacturer's name, full mailing address, and telephone number.

(d) Contact information for the individual maintaining records of test results, including the custodian's name, e-mail address, full mailing address, and telephone number. (CPSC suggests that each issuer maintain test records supporting the certification for at least three years as is currently required by certain consumer product specific CPSC standards, for example at 16 CFR 1508.10 for full-size baby cribs.)